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Attorneys for Defendants

CITY OF GRASS VALLEY,) CASE NO.: CIV.S - 04-0149 GEB DAD

VS.

Defendants.

CASE NO.: CIV.S - 04-0149 GEB DAD

JOINT STIPULATION AND ORDER FOR EXTENSION OF TIME REGARDING EXPERT DISCLOSURE DEADLINES

Trial Date: September 11, 2007
Time: 9 a.m.
Judge: Honorable Garland E. Burrell, Jr.
Dept.: 10

1 The City of Grass Valley (“Grass Valley”) and defendants Newmont Mining Corporation,
2 Newmont USA Limited, Newmont North America Exploration Limited, Newmont Gold Company,
3 Newmont North America Limited, and Newmont Exploration Limited (together, “Newmont”) hereby
4 submit this Joint Stipulation and Order For Extension of Time to exchange expert witness and rebuttal
5 expert witness reports, stating as follows:
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7 On May 12, 2006, this Court issued a Status (Pretrial Scheduling) Order directing that the parties
8 make initial expert witness disclosures on or before September 18, 2006, and rebuttal expert disclosures
9 on or before October 18, 2006.

10 On August 17, 2006, the parties filed a Stipulation and Proposed Order to extend the initial
11 expert witness disclosure deadline to October 18, 2006 and the rebuttal expert disclosure deadline to
12 November 18, 2006. This Court granted that Stipulation on August 17, 2006.
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14 The parties seek to extend the expert witness disclosure deadline to October 30, 2006 and the
15 rebuttal expert disclosure deadline to November 30, 2006 in order to conduct additional discovery prior
16 to the current deadlines.

17 Both parties have been diligently conducting discovery. Depositions have been conducted by
18 both parties in Denver and in Sacramento, and further depositions are currently scheduled. Neither party
19 seeks this extension for purposes of delay. This stipulation would not affect any other deadlines
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1 scheduled in the Status (Pretrial Scheduling) Order, including discovery cutoff, motions deadlines, or
2 trial.

3 Dated: October 12, 2006

4 MEYERS, NAVE, RIBACK, SILVER & WILSON

5 By: /s/ Deborah S. Bardwick
6 DEBORAH S. BARDWICK
7 KENTON L. ALM

8 Attorneys for Plaintiff
9 City of Grass Valley

10 TEMKIN WIELGA HARDT & LONGENECKER LLP

11 By: /s/ Alison J. Thayer
12 ALISON J. THAYER
13 ELIZABETH H. TEMKIN
14 Attorneys for Defendants
15 Newmont Mining Corporation

16 STEVENS & O'CONNELL

17 By: /s/ Craig C. Allison
18 CRAIG C. ALLISON
19 Attorney for Defendants
20 Newmont Mining Corporation

21 IT IS SO ORDERED.

22 DATED: October 12, 2006

23 /s/ Garland E. Burrell, Jr.
24 GARLAND E. BURRELL, JR.

25 United States District Judge
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